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**DOCKET NO.: ISIS-5325**

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In Re Application of:**

Charles Allerson, et al.

**Confirmation No.: 5641**

**Application No.: 10/701,007**

## **Group Art Unit: 1645**

**Filing Date:** November 4, 2003

**Examiner: Not Yet Assigned**

**For: COMPOSITIONS COMPRISING ALTERNATING 2'-MODIFIED NUCLEOSIDES FOR USE IN GENE MODULATIONS**

**EXPRESS MAIL LABEL NO: EV325727628US  
DATE OF DEPOSIT: March 14, 2005**

EV325727628US

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

## **SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Pursuant to 37 CFR § 1.56 and in accordance with 37 CFR §§ 1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 CFR § 1.56(b).

- In accordance with § 1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified application, within three months of the date of entry into the national stage of the above identified application as set forth in § 1.491, before the mailing date of a first Office Action on the merits of the above-identified application, or

before the mailing date of a first Office Action after the filing of request for continued examination under § 1.114, no additional fee is required.

- In accordance with § 1.97(c), this Information Disclosure Statement is being filed after the period set forth in § 1.97(b) above but before the mailing date of either a Final Action under § 1.116 or a Notice of Allowance under § 1.311, or before an action that otherwise closes prosecution in the application, therefore:
  - Certification in Accordance with § 1.97(e) is attached; or
  - The fee of \$180.00 as set forth in § 1.17(p) is attached.
- In accordance with § 1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under § 1.113 or a Notice of Allowance under § 1.311 but before, or simultaneously with, the payment of the Issue Fee, therefore included are: Certification in Accordance with § 1.97(e); and the submission fee of \$180.00 as set forth in § 1.17(p).
- Copies of reference numbers **131 and 132** listed on the attached Form PTO-1449 are enclosed herewith.
- Copies of reference numbers **133 and 134** on the attached Form PTO 1449 are not required to be submitted pursuant to waiver of 37 CFR § 1.98(a)(2)(i).
- Copies of references - are not being submitted because they were previously cited by or submitted to the U.S. Patent and Trademark Office in patent application number , filed for which a claim for priority under 35 U.S.C. § 120 has been made in the instant application.
- The relevance of those listed references which are not in the English language is as follows:

There are no listed references which are not in the English language.

Please charge any deficiency or credit any overpayment to Deposit Account No. 23-

3050. This form is submitted in duplicate.

Date: March 14, 2005

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<b>Form PTO-1449 Modified</b>		Docket No. ISIS-5325	Application No. 10/701,007
List of Patent and Publications Cited by Applicant (Use several sheets if necessary)		Applicant Charles Allerson et al.	
U.S. Department of Commerce Patent and Trademark Office		Filing Date November 4, 2003	Group 1645
		Confirmation No. 5641	
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>			
*	131	Rajwanshi, V.K., et al., "LNA stereoisomers: <i>xylo</i> -LNA ( $\beta$ -D- <i>xylo</i> configured locked nucleic acid) and $\alpha$ -L-ribo configured locked nucleic acid," <i>Chem. Commun.</i> , 1999, 1395-1396	
*	132	Steffens, R., et al., "Synthesis and thermodynamic and biophysical properties of tricycle-DNA," <i>Am. Chem. Soc.</i> , 1999, 121(14), 3249-3255	
<b>EXAMINER</b>		<b>DATE CONSIDERED</b>	

\* Cited on PCT Written Opinion dated January 28, 2005 (PCT/US03/35072); PCT International Search Report dated February 16, 2005 (PCT/US03/35141); PCT International Search Report dated February 18, 2005 (PCT/US03/35064).

<p><b>Form PTO-1449 Modified</b></p> <p>List of Patent and Publications Cited by Applicant (Use several sheets if necessary)</p> <p>U.S. Department of Commerce Patent and Trademark Office</p>			Docket No. ISIS-5325	Application No. 10/701,007		
			Applicant Charles Allerson et al.			
			Filing Date November 4, 2003	Group 1645		
			Confirmation No. 5641			
<b>U. S. PATENT DOCUMENTS</b>						
Examiner Initial		Document No.	Date	Name	Class	Subclass
*	133	6,436,640 B1	08/20/02	Simmons, et al.	435	6
*	134	2002/0068708 A1	06/06/02	Wengel, et al.	514	44
<b>FOREIGN PATENT DOCUMENTS</b>						
Examiner Initial		Document No.	Date	Country	Translation	
					YES	NO

\* Cited on PCT Written Opinion dated January 28, 2005 (PCT/US03/35072); PCT International Search Report dated February 16, 2005 (PCT/US03/35141); PCT International Search Report dated February 18, 2005 (PCT/US03/35064).